

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 09/449,912

Applicant: Divittorio

Filed: December 2, 1999

TC/AU: 2195

Examiner: Kenneth Tang

Docket No.: 202232 (Client Reference No. 99,032)

Customer No.: 23460

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE
EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed December 12, 2005, rejecting the following claims: 1-26.

1. Pre-Appeal Brief Request for Review

A "Pre-Appeal Brief Request for Review" is filed concurrently herewith or is not being filed.

2. Status of Applicants

This application is on behalf of other than a small entity or a small entity.

3. Fee for Filing Notice of Appeal

Pursuant to 37 CFR 41.20(b), the fee for filing the Notice of Appeal is for: other than a small entity or a small entity.

Applicant has already paid fees for filing a Notice of Appeal, on June 12, 2006, therefore, no additional fees are due at this time. (See, MPEP Rev. 3 § 1204.01)

Notice of Appeal Fee due \$0.00

4. Extension of Time

- Applicant petitions for a three-month extension of time under 37 CFR 1.136, the fee for which is \$1,020.00.
- An extension for one-month has already been secured and the fee paid therefore of \$120.00 is deducted from the total fee due for the total amounts of extension now requested.
- Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Extension fee due with this request: \$1,020.00

5. Total Fee Due

The total fee due is:

Notice of Appeal Fee	\$
Extension Fee (if any)	\$1,020.00
Total Fee Due: \$1,020.00	

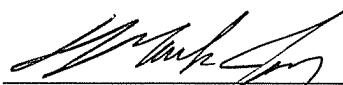
6. Fee Payment

- Attached is a check in the sum of \$.
- Charge Account No. 12-1216 the sum of \$1,020.00. A duplicate of this transmittal is attached.

7. Fee Deficiency

- If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.

Respectfully submitted,



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Date: April 6, 2007